

MARC J. HELD*
PHILIP M. HINES*

*ALSO ADMITTED IN NEW JERSEY



ELIOT D. GONSHOREK
EDWARD S. MILLER
URI NAZRYAN

OF COUNSEL
JACK ANGELOU
SHERRY D. DANZIG

December 5, 2023

Via ECF

Honorable LaShann DeArcy Hall
United States District Judge
United States District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Mirvis v. Quay, et al.*, 1:19-cv-2573-LDH-VMS—Consent Letter Seeking
Clarification regarding Summary Judgment pre-Motion Briefing Schedule

Dear Hon. DeArcy Hall:

I represent Plaintiff. I write with Defendants' consent to seek clarification regarding the summary judgment pre-motion briefing schedule that was issued by an unnumbered docket entry minute order earlier today. Specifically, I seek clarification that Plaintiff's Opposition is in fact due January 17, 2024, instead of January 4, 2024.

My memory of the November 29, 2023 conference (and as confirmed by my notes from the conference) is that Your Honor proposed (a) giving Defendants three weeks from the conference (i.e., to December 20, 2023) to file their moving papers, and (b) giving Plaintiff four weeks therefrom (i.e., to January 17, 2024) to file his Opposition because of the Christmas-New Years holiday. I was agreeable with this schedule because I am not presently scheduled to work during the week of December 25-29. I do not recall any discussion about when Defendants' Reply would be due, but the parties have no objection to the proposed timeframe of 11 days after the filing of Plaintiff's Opposition—i.e., to January 29, 2024 (January 28 is a Sunday).

For these reasons, I respectfully ask the Court to clarify the summary judgment pre-motion briefing schedule as set forth above; or alternatively, to extend the time for the parties to complete the summary judgment pre-motion briefing as set forth above.

Respectfully Submitted,

/s/ Uri Nazryan
Uri Nazryan
unazryan@heldhines.com
Counsel for Plaintiff

cc (via ECF): Kimberly Francis (kimberly.francis@usdoj.gov)